



ALL INDIA
BHARAT SANCHAR NIGAM LIMITED
OFFICERS' ASSOCIATION
CORPORATE OFFICE CIRCLE
New Delhi – 110001

Circle Secretary
V.S.RAGHAVAN
Mobile:9868202288

No. AIBSNLOA/C.O./2008/1

Dated : 04/09/2008

To

The Director (HRD),
Bharat Sanchar Nigam Limited,
New Delhi

Sub: Workshop/seminar on basic tenets of Administrative law – reg.

Sir,

It is a universally accepted fact that one of the key tools of HR Management is training by which the skills and knowledge of the employees are developed. Such development serves to motivate the employees to a higher level of performance and ensures that they continue to maintain a commitment to the goals of the Organization.

In the light of the above, we would like to draw your attention to a situation presently existing in BSNL CO and in the field units, the broad and factual conspectus of which is sketched below:-

- Litigation, both by the regular employees and temporary workers of BSNL, which is increasing daily, generally occurs wherever there is a grey area in the service rules which calls for an interpretation. Litigation also ensues where procedures are not followed properly.
- Such litigation, which takes place throughout the country, not only has the effect of draining the finances of the Company as well as the employees but also has the effect of lowering the morale of the employees.
- Such cases are being dealt with by the various Staff Sections of BSNL CO as well as the field units. In addition to directly dealing with cases coming under their jurisdiction, the Staff Sections of BSNL CO also serve as nodal agencies to the field units and the Legal Branch of BSNL CO. Many decisions are taken on a daily basis on whether the judgements of various courts/tribunals are to be implemented, which basically involve interpretations of the judgements/orders of the Courts.
- The officers dealing with such types of cases in BSNL CO primarily are of three cadres i.e. ADGs, Section Officers/Assistant Directors and Assistants/JTOs/JAOs. Most of these officers, in view of the fact that they come from a technical background do not possess the requisite knowledge of administrative law. Even in the case of the CSS officers, most of them do not

come from a legal background in view of the fact that the same was not necessary at the time of recruitment.

- At the ground level, it is well known that these officers are put to great difficulty in their jobs in view of their lack of knowledge in the basic tenets of Administrative Law which would be an elementary pre-requisite for dealing with court cases. This leads to not only delay in examining such types of cases but sometimes also leads to wrong interpretations.
- Again when these officers meet with lawyers to file cases, the lack of basic knowledge puts them and the Organization at the mercy of the advocates. It is an easily verifiable fact that many cases are lost because of the lack of proper presentation, which is due to the communication gap between the officers dealing with such cases and the lawyers.
- It is also a well known fact that the Legal Branch of BSNL CO, which in our opinion is under-staffed, is called upon to give their comments/advice on fundamental issues which require to be settled on the spot.
- Further many administrative decisions are taken which become contentious in view of being untenable in terms of law and well settled legal positions.

This situation can be easily rectified if the officers dealing with court cases are imparted with the knowledge of the basic tenets of Administrative Law. **Such training and development of the knowledge of these officers will serve as a bridge between the job requirement and the current position in terms of the present performance.**

This is why we are writing to you with the suggestion **to examine the possibility of conducting a workshop/seminar on the basic tenets of Administrative Law.** Such courses are conducted on regular basis by and in many forums. We are hopeful that such development as would be brought upon by attending such workshops/seminars will go a long way in changing the current approach of the Staff Branches from being functionally oriented and reactive to a desirable effectiveness orientation and proactive.

Hope that you will give a serious thought to this suggestion. We would much appreciate it, if we are informed of the action taken in this matter.

Thanking you,

Yours truly

(Sd/-)
(V.S. RAGHAVAN)
CIRCLE SECRETARY

Copy to :-

1. DDG (Training)
2. DDG (Establishment)
3. DDG (Personnel)